

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

PRESENT:	Supervisor	Teresa Dean
	Council	Edward Fairbrother
		Mike Smith
		David Manchester
		Marcia Hudock
	Town Clerk	Linda Cross
	Attorney	Thomas Bowes

Supervisor Dean called the Organizational Town Board meeting to order at 4:30 p.m. and requested those present to participate in the Pledge of Allegiance.

RESOLUTION NO. 1-10
ROBERTS RULES OF ORDER ADOPTED AS GUIDELINES

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Board adopt Robert Rules of Order, Association of Towns – State of New York Town Law Manual 2000, and Conducting Public Meetings and Public Hearings, as a guideline, and vote orally on resolutions.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 2-10
TIME AND PLACE SET FOR WATER BOARD MEETINGS

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Board set the time and place for the Water Board Meetings: 4th Wednesday of each month at 7:00 p.m. at the Town Hall, when necessary, except for the month of November the meeting will commence at 4:30 p.m. on the third Wednesday of the month, and

FURTHER RESOLVED the December meeting will be held on December 29, 2010 at 4:30 p.m.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

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RESOLUTION NO. 3-10
TIME AND PLACE SET FOR SEWER BOARD MEETINGS

Resolution by: Smith
Seconded by: Hudock

RESOLVE the Town Board set the time and place for the Sewer Board Meetings: 4th Wednesday of each month at 7:00 p.m. at the Town Hall, when necessary, except for the month of November the meeting will commence at 4:30 p.m. on the third Wednesday of the month, and

FURTHER RESOLVED the December meeting will be held on December 29, 2010 at 4:30 p.m.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 4-10
TIME AND PLACE SET FOR TOWN BOARD MEETINGS

Resolution by: Smith
Seconded by: Hudock

RESOLVE the Town Board set the time and place for the Town Board meetings: 2nd Wednesday of each month at the Town Hall at 4:30 p.m. at the Town Hall, except for the month of November when there will be no meeting, and

FURTHER RESOLVE the Town Board set the time and place for Town Board meetings: 4th Wednesday of each month at the Town Hall at 7:00 pm or immediately following the Water Board and Sewer Board Meetings, except for the month of November when the meeting will commence on the third Wednesday of the month at 4:30 p.m. or immediately following the Water Board and Sewer Board meetings, and

FURTHER RESOLVED the December meeting will be held on December 29, 2010 at 4:30 p.m. following the Water Board and Sewer Board meetings.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 5-10 WATER, SEWER AND/OR TOWN BOARD MEETING PROCEDURES

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board adopts the following policy for Water, Sewer and/or Town Board meetings and workshops:

1. All agenda items are submitted to the Town Clerk by 10:00 a.m. the Wednesday prior to the Water, Sewer and/or Town Board meeting. When a legal holiday and/or the responsible person submitting said documentation is not present, the documentation must be submitted prior to the date specified.
2. The first item of the meeting/workshop will be Call to Order.
3. Concerns of the People will be held immediately following the Call to Order at the Town Board meeting.
4. The Town Board meeting agenda categories be as follows:
 - Minutes
 - Reports
 - Old Business
 - New Business
 - Correspondence
5. The Water Board meeting agenda categories be:
 - Old Business
 - New Business
 - Correspondence
6. The Sewer Board meeting agenda categories be:
 - Old Business
 - New Business
 - Correspondence
7. All monthly, activity reports, certificate(s), and/or minutes are to be submitted to the Town Clerk Thursday prior to the Town Board Workshop.
8. Vouchers for payment must be submitted by 12:00 noon 10 days prior to the Town Board meeting (normally the third week of the month). Submittal is the responsibility of the Department Supervisors and they are responsible for vendor inquiries due to non-submittals.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 6-10
DEPUTY TOWN SUPERVISOR APPOINTED

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board appoints Edward Fairbrother, Deputy Town Supervisor, as recommended by the Town Supervisor.

CARRIED: AYES: Smith, Dean, Hudock, Manchester
NAYS: None ABSTAIN: Fairbrother

RESOLUTION NO. 7-10
BOARD MEMBER COMMITTEE ASSIGNMENTS

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board Councilpersons be assigned as Liaisons to the following Boards, Commissions, and Committees:

Community Center Board	Manchester & Smith
Emergency Preparedness	Dean & Fairbrother
Personnel Committee	Fairbrother & Hudock
Community Service Award	Dean & Hudock
Parks Commission	Smith

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 8-10
PLANNING BOARD COMMITTEE ASSIGNMENTS

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board Councilpersons be assigned as Liaisons to the Planning Board as follows:

January through March	Smith
April through June	Hudock
July through September	Manchester
October through December	Fairbrother

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 9-10
ZONING BOARD OF APPEALS COMMITTEE ASSIGNMENTS

Resolution by: Manchester
Seconded by: Fairbrother

RESOLVE the Town Board Councilpersons be assigned as Liaisons to the Zoning Board of Appeals as follows:

January through March	Hudock
April through June	Smith
July through September	Fairbrother
October through December	Manchester

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 10-10
FIREWORKS COMMISSIONER APPOINTED

Resolution by: Manchester
Seconded by: Fairbrother

RESOLVE the Town Board appoints Mike Smith Fireworks Commissioner.

CARRIED: AYES: Fairbrother, Dean, Hudock, Manchester
NAYS: None ABSTAIN: Smith

RESOLUTION NO. 11-10
HEALTH AND DENTAL INSURANCE PREMIUM

Resolution by: Manchester
Seconded by: Fairbrother

RESOLVE that the Town Board requires current Town employees participating in health and dental insurance to pay 11% of the premium, and

FURTHER RESOLVED Town employees and/or employees who choose to participate in health and dental insurance after January 1, 2006 to pay 15% of the premium.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 12-10
TOWN OFFICIAL NEWSPAPER DESIGNATED

Resolution by: Dean
Seconded by: Hudock

RESOLVE the Town Board designates the Star-Gazette as the Town's official newspaper.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 13-10
SUPERVISOR DIRECTED TO PUBLISH ANNUAL REPORT

Resolution by: Dean
Seconded by: Hudock

RESOLVE the Town Board directs the Supervisor to publish the Annual Report in the approved form.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 14-10
BANKS DESIGNATED

Resolution by: Dean
Seconded by: Hudock

RESOLVE the Town Board designates Chemung Canal Trust Company, Five Star National Bank and JP Morgan-Chase Bank the official depositories.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock,
NAYS: None ABSTAIN: Manchester

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 15-10
SUPERVISOR AUTHORIZED TO INVEST TOWN FUNDS

Resolution by: Dean
Seconded by: Smith

RESOLVE the Town Board authorizes the Supervisor to invest monies, not needed for immediate expenditures, according to the regulations of the State Department of Audit and Control and the investment policy adopted January 1988.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock
NAYS: None

RESOLUTION NO. 16-10
SUPERVISOR AUTHORIZED TO ADVANCE MONEY

Resolution by: Dean
Seconded by: Smith

RESOLVE the Town Board be authorized to advance money for educational meetings or workshops as provided by General Municipal Law 77b.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 17-10
ATTENDANCE AT EDUCATIONAL PROGRAMS AUTHORIZED

Resolution by: Dean
Seconded by: Smith

RESOLVE the Town Board authorize Town Officials and employees to attend educational programs concerning Town business, as approved by the Town Board, with all legal expenses charged to the Town, except for those Town Officials and employees supervised by and including the Commissioner of Public Works.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 18-10
ATTENDANCE AT COUNTY MUNICIPAL CLERKS MEETINGS AUTHORIZED

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Board authorize the attendance at County Municipal Clerks meetings, as authorized in their 2010 budget, for Linda Cross, Sheree McGannon, and Robert Newlun at the Town's expense.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 19-10
AUTHORIZATION OF OVERTIME

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Supervisor be authorized to approve overtime pay for Town employees as setforth in the Town Employee Handbook for emergencies only.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 20-10
AUTHORIZATION FOR PURCHASES

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Board requires approval prior to obtaining services, parts, and other equipment for all purchases over the amount of \$1,000.00, including engineering or as otherwise provided by the Town Board.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

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RESOLUTION NO. 21-10
CONTINGENCY TRANSFERS

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE the Town Board requires all transfer requests exceeding \$1,000.00 from contingency and/or fund balance must come before the Town Board prior to obtaining services, parts, and other equipment not covered in their budget, and

FURTHER RESOLVED the Town Supervisor can authorize the Town Bookkeeper to conduct said contingency and/or fund balance transfers when necessary.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 22-10
JUSTICES AND TOWN COUNCIL AUTHORIZED TO CERTIFY PAPERS

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE the Town Justices and Town Council be authorized to certify papers and documents without charge.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 23-10
BLANKET BONDS OR BONDING AUTHORIZED FOR TOWN OFFICIALS

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE that blanket bonds or bonding be obtained for Town Officials, as required, and submit the names of Town Officers to the Insurance Agent.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 24-10
TRAVEL JURISDICTION AUTHORIZATION

Resolution by: Dean
Seconded by: Hudock

RESOLVE the Town Board requires that all travel outside of New York State and Northern Pennsylvania for the purposes of conferences and/or workshops will require previous approval by the Town Board.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 25-10
MILEAGE ALLOWANCE SET

Resolution by: Dean
Seconded by: Hudock

RESOLVE the Town Board set mileage at \$0.50 per mile for Town Officials and employees when using their personal vehicles for official Town business, when authorized by the Town Board.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 26-10
CHEMUNG CANAL VISA, SAM'S CLUB AND UTILITY PREPAYMENT AUTHORIZED

Resolution by: Dean
Seconded by: Manchester

WHEREAS in order to avoid unnecessary fees and interest it is determined that it is in the best interest of the Town to pay the Chemung Canal VISA, Sam's Club accounts and utility bills when it comes due, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 26-10, CHEMUNG CANAL VISA, SAM'S CLUB AND UTILITY
PREPAYMENT AUTHORIZED continued

BE IT THEREFORE RESOLVED the Town Supervisor is hereby authorized to pay the
Chemung Canal VISA, Sam's Club accounts and utility bills as it becomes due without prior
approval of Town Board.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock
NAYS: None ABSTAIN: Manchester

RESOLUTION NO. 27-10
2010 ELECTED OFFICIAL'S SALARIES SET

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board set the following salaries for elected officials:

Supervisor	\$25,818.00
Council Member (4)	\$ 6,800.00 each
Town Clerk	\$29,500.00
Tax Collector	\$ 7,014.00
Town Justice (2)	\$18,540.00

CARRIED: AYES: Fairbrother, Smith, Hudock, Manchester
NAYS: None ABSTAIN: Dean

RESOLUTION NO. 28-10
EFFECTIVE DATE OF APPOINTMENTS

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board set the effective date for appointments, unless otherwise stated, as
January 1, 2010.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 29-10
WAGES SET FOR FULL TIME EMPLOYEES APPROVED

Resolution by: Dean
Seconded by: Manchester

RESOLVE that the Town Board set wages for full time Town employees to be accepted and paid when due, including normal Town benefits listed in the Employee Handbook for the following:

Merlyn Tiwari	Bookkeeper	32,421.00/Annual
Sheree McGannon	Deputy Town Clerk	25,000.00/Annual
Helen Schwartz	Clerk to the Town Justice	31,477.00/Annual
Steve Polzella	Director of Planning	54,333.00/Annual
Tom Dobrydney	Planner	40,943.00/Annual
Timothy Gilbert	Building Inspector/Code Enforcement Officer	40,685.00/Annual
Brenda Belmonte	Secretary I	31,518.00/Annual
Marge Tremaine	Youth Program Coordinator	29,217.00/Annual
Michele Diliberto	Secretary I	30,730.00/Annual
Christopher Austin	Working Foreperson	53,560.00/Annual
John Dufresne	Water System Supervisor	50,000.00/Annual
Pamela Williamson	Senior Account Clerk	28,530.00/Annual
Pamela Williamson	Web Coordinator, General fund	789.00/Annual

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

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RESOLUTION NO. 30-10
WAGES SET FOR ASSESSOR

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE that the Town Board set wages for William Torp as Assessor for the Town of Big Flats as a full time Town employees to be accepted and paid when due, including normal Town benefits listed in the Employee Handbook at a salary not-to-exceed \$36,301.00 annually with a term ending September 30, 2013.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 31-10
WAGES SET FOR COMMISSIONER OF PUBLIC WORKS APPROVED

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE that the Town Board set wages for Larry Wagner as Commissioner of Public Works for the Town of Big Flats as a full time Town employees to be accepted and paid when due, including normal Town benefits listed in the Employee Handbook at a salary not-to-exceed \$81,564.00 annually with a term ending December 31, 2010.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 32-10
RETAINER AGREEMENT WITH LAW OFFICE OF THOMAS W. REED II, PLLC
APPROVED

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Board enter into a Retainer Agreement with Law Office of Thomas W. Reed II, PLLC at the rate of Forty Thousand Dollars (\$40,000.00) per year payable quarterly for general corporate municipal legal services.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 33-10
WAGES SET FOR PART-TIME EMPLOYEES APPROVED

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE that the Town Board set wages of part-time employees to be accepted and paid when due, with the option of New York State Retirement System and Deferred Compensation; however, no Town fringe benefits, for the following:

Dail Phelps	Clerk to the Town Justice	9.33/Hourly
Frances Decker	Clerk	10.30/Hourly
Suzanne Brinthaup	Clerk to the Bookkeeper	10.79/Hourly
Patricia Hartigan-Huten	Recreation Attendant	10.32/Hourly
Judith Zimmerman	Director of Recreation	14.48/Hourly
Judith Kadlec	Community Center Secretary	10.83/Hourly
Thomas Saunders	Custodian	9.01/Hourly
Robert Petrie	Custodian	9.01/Hourly
John Harter	Custodian	8.00/Hourly
Donald Hamilton	Custodian	9.00/Hourly
Becki Messner	Custodian	8.76/Hourly
Dan Moss	Carpenter	25.00/Hourly
Robert Little	Carpenter	25.00/Hourly
Thomas Ward	Plumber	25.00/Hourly
Joanne Schucker	Newspaper Editor	9.48/Hourly
Grace Hagar	Newspaper Typist	9.04/Hourly
Sheila Dilmore	Newspaper Clerk	9.04/Hourly

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 34-10
PROGRAM ASSISTANT APPOINTMENT

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board appoints Leorelei Wagner as the Program Assistant, when necessary, to work with the Youth Program Coordinator at the rate of \$9.44 per hour, as approved in the 2010 budget.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 35-10
TOWN HISTORIAN APPOINTED

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board appoints Carol Christian Town Historian, at \$789.00 annually.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 36-10
WATER AND SEWER BOARD SECRETARY APPOINTED

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board appoints Linda Cross Secretary to the Water and Sewer Board.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 37-10
PLANNING BOARD / ZONING BOARD OF APPEALS SECRETARY APPOINTED

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board appoints Brenda Belmonte, Secretary 1 for the Planning Board and Zoning Board of Appeals.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 38-10
PARKS COMMISSION SECRETARY APPOINTED

Resolution by: Manchester
Seconded by: Hudock

RESOLVE the Town Board appoints Michele Diliberto, Secretary to the Parks Commission.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 39-10
COMMUNITY CENTER ADVISORY BOARD SECRETARY APPOINTED

Resolution by: Manchester
Seconded by: Hudock

RESOLVE the Town Board appoints Suzanne Brinthaup, Secretary for the Community Center Advisory Board at the rate of \$30.00 per meeting.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 40-10
BOARDS AND COMMISSION APPOINTMENT

Resolution by: Fairbrother
Seconded by: Dean

RESOLVE the Town Board appoints the following members to the listed Board/Commission with a term ending as specified:

Carl Masler	Planning Board	December 31, 2015
Sheila Dilmore	Parks Commission	December 31, 2015
Donald Williams	Zoning Board of Appeals	December 31, 2014
Ralph Gould	Senior Citizens	December 31, 2015
Robert Newlun	Community Center Board	December 31, 2010
Joseph Piersimoni	Community Center Board	December 31, 2010
Jason Thompson	Community Center Board	December 31, 2011
Robert Gibbs	Community Center Board	December 31, 2012

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 41-10
PARKS COMMISSION CHAIRPERSON APPOINTED

Resolution by: Fairbrother
Seconded by: Dean

RESOLVE the Town Board appoints Sheila Dilmore as Parks Commission Chairperson for 2010.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 42-10
ZONING BOARD OF APPEALS CHAIRPERSON APPOINTED

Resolution by: Fairbrother
Seconded by: Dean

RESOLVE the Town Board appoints Joe Rowe as Zoning Board of Appeals Chairperson for 2010.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 43-10
PLANNING BOARD CHAIRPERSON APPOINTED

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE the Town Board appoints Lance Muir as Planning Board Chairperson for 2010.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 44-10
EMERGENCY PREPAREDNESS COMMITTEE CO-CHAIRPERSON APPOINTED

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE the Town Board appoints Teresa Dean and Jane King as Emergency Preparedness Committee Co-Chairpersons for 2010.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 45-10
COMMUNITY CENTER BOARD CHAIRPERSON APPOINTED

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE the Town Board appoints Robert Adams as Chairperson for the Community Center Advisory Board.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 46-10
COMPENSATION AUTHORIZED FOR BOARDS AND COMMISSIONS MEMBERS
APPROVED

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE the Town Board authorizes the Chairperson of the Big Flats Planning Board and Zoning Board of Appeals to be paid \$75.00 for each regularly scheduled monthly meeting actually attended by the Chairperson(s) and payment shall be made by a voucher and submitted to the Bookkeeper, and

FURTHER RESOLVED the Town Board authorizes the Chairperson of the Big Flats Parks Commission and Community Center Board to be paid \$50.00, for each regularly scheduled monthly meeting actually attended by the Chairperson(s) and payment shall be made by a voucher and submitted to the Bookkeeper, and

BE IT FURTHER RESOLVED that each regular member of the Parks Commission and Community Center Board of the Town of Big Flats shall be paid \$15.00 for each regularly scheduled monthly meeting, Zoning Board of Appeals members shall be paid \$25.00, and Planning Board members shall be paid \$25.00 not-to-exceed 18 meetings, actually attended by said member and payment shall be made by a voucher submitted to the Bookkeeper.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 47-10
ALTERNATE PLANNING BOARD MEMBER APPOINTMENT APPROVED

Resolution by: Hudock
Seconded by: Smith

WHEREAS in Resolution 213-04 the Town Board adopted Local Law #5, 2004, titled "Town of Big Flats Planning Board Law" approving the position of Alternate Planning Board member, and

WHEREAS John Hunter has expressed interest in being a member of the Planning Board and has consented to be the Alternate Planning Board member, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR617.5(c)(20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board approves and hereby appoints John Hunter as the Alternate Planning Board member for a term effective immediately ending December 31, 2010, and

FURTHER RESOLVED the Town Board approves the Alternate Planning Board member shall be paid \$25.00 not-to-exceed 18 meetings, actually attended and representing the Town as a Planning Board member and payment shall be made by a voucher submitted to the Bookkeeper.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 48-10
ALTERNATE ZONING BOARD OF APPEALS MEMBER APPOINTMENT APPROVED

Resolution by: Hudock
Seconded by: Dean

WHEREAS in Resolution 93-07 the Town Board adopted Local Law #3, 2007, titled "Town of Big Flats Zoning Board of Appeals Law" approving the position of Alternate Zoning Board of Appeals member, and

WHEREAS Harry King, 15 Kelley Drive, and Diane Lantz, 172 Carpenter Road, Elmira have consented to be the Alternate Zoning Board of Appeals member, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR617.5(c)(20) and as such no further action is necessary regarding the same, now

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 48–10, ALTERNATE ZONING BOARD OF APPEALS MEMBER
APPOINTMENT continued

BE IT THEREFORE RESOLVED the Town Board approves and hereby appoints Harry King, 15 Kelley Drive, Big Flats and Diane Lantz, 172 Carpenter Road, Big Flats as the Alternate Zoning Board of Appeals member for a term ending December 31, 2010, and

FURTHER RESOLVED the Town Board approves the Alternate Zoning Board of Appeals member shall be paid \$25.00 not-to-exceed 18 meetings, actually attended and representing the Town as a Zoning Board member and payment shall be made by a voucher submitted to the Bookkeeper.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 49-10
COMPENSATION AUTHORIZED FOR BOARD OF ASSESSMENT
REVIEW MEMBERS

Resolution by: Hudock
Seconded by: Dean

RESOLVE the Town Board authorizes the Chairperson of the Big Flats Board of Assessment Review to be paid \$100.00 for each session actually attended by the Chairperson and payment shall be made by a voucher and submitted to the Bookkeeper, and

BE IT FURTHER RESOLVED that each regular member of the Board of Assessment Review members shall be paid \$50.00 for each session actually attended by said member and payment shall be made by a voucher submitted to the Bookkeeper.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 50–10
SUPERVISOR AUTHORIZED TO HIRE PERSONNEL WHEN NEEDED

Resolution by: Dean
Seconded by: Fairbrother

RESOLVE the Town Board authorize the Supervisor to hire personnel, when prudent and necessary, with the range being \$7.25 to \$10.00 per hour not-to-exceed 21 days without Town Board approval.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 51-10
TEMPORARY STAFF SERVICES APPROVED

Resolution by: Dean

Seconded by: Fairbrother

RESOLVE the Town Board authorizes the Town Supervisor to hire temporary help from the approved list of Sheila Dilmore, Peggy Zelko and Grace Hagar at a rate of \$9.04 per hour; and Deanne Williams at a rate of \$10.66 per hour as needed.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 52-10
JUSTICES AUTHORIZED TO HIRE STENOGRAPHER

Resolution by: Dean

Seconded by: Fairbrother

RESOLVE the Town Board authorizes the Town Justices to hire a stenographer at the prevailing rate, as necessary, provided they are covered in the budget.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 53-10
AGREEMENT AND RECEIVER OF REVENUE ON BEHALF OF THE BIG FLATS
COMMUNITY CENTER APPROVED

Resolution by: Dean
Seconded by: Hudock

WHEREAS the Community Center Board has established a Use Policy and Agreement and a Fee Schedule for those who wish to use the Community Center, and

WHEREAS it has been determined that receivers of revenue will be required to collect the agreements and fees associated with the use of the Community Center, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board appoints Judith Kadlec, Grace Hagar, Peggy Zelko, Judith Zimmerman, and Marge Tremaine as Receivers of Revenue for the Community Center.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 54-10
APPOINTMENT OF RECEIVERS OF REVENUE FOR WATER DISTRICTS

Resolution by: Dean
Seconded by: Hudock

RESOLVE the Town Board appoints Pamela Williamson, John Dufresne, Sheila Dilmore, Michele Diliberto, Grace Hagar, Deanne Williams, Larry Wagner and Linda Cross as Receivers of Revenue for the Water Districts.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 55-10
COMMISSIONER OF PUBLIC WORKS PURCHASE AMOUNT APPROVED

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Board authorizes the Commissioner of Public Works to make purchases up to \$5,000.00 for parts, services, and other equipment for use in the Department of Public Works, as necessary, provided they are covered in the budget.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 56-10
COMMISSIONER OF PUBLIC WORKS AUTHORIZED TO ADVERTISE FOR BIDS

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Board authorizes the Commissioner of Public Works to advertise for bids on tires, salt, cinders, sand, parts and tools, as needed.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 57-10
COMMISSIONER OF PUBLIC WORKS AUTHORIZED TO ACCEPT STATE & COUNTY
BIDS

Resolution by: Fairbrother
Seconded by: Smith

RESOLVE the Town Board authorizes the Commissioner of Public Works to accept State and County bids for any and all items under State and County bid system, provided they are covered in the Highway budget; with the exception that any bid for vehicles and equipment shall be subject to prior Town Board approval.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO 58-10
COMMISSIONER OF PUBLIC WORKS PURCHASE APPROVAL AUTHORIZED

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE the Town Board authorizes the Town Supervisor or Commissioner of Public Works, where applicable; be authorized to approve purchases or services during emergencies exceeding \$1,000.00.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 59-10
COMMISSIONER OF PUBLIC WORKS HIRING TEMPORARY AGENCIES AUTHORIZED

Resolution by: Smith
Seconded by: Fairbrother

RESOLVE the Town Board authorizes the hiring of people from temporary agencies be pre-approved by the Town Board, Town Supervisor or Commissioner of Public Works, where applicable.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 60-10
SECTION 284 OF THE HIGHWAY LAW AGREEMENT APPROVED

Resolution by: Smith
Seconded by: Fairbrother

WHEREAS in accordance with Highway Law, Section 284, the Town Supervisor, Town Board, and Commissioner of Public Works are required to enter into an agreement regarding moneys levied and collected in the Town for repair and improvement of highways, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED, in accordance with Highway Law, Section 284, the Town Supervisor, Town Board and Commissioner of Public Works are authorized to enter into the Agreement for the Expenditure of Highway Moneys.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 61-10
SAFETY OFFICER APPOINTMENT APPROVED

Resolution by: Hudock
Seconded by: Manchester

WHEREAS the Town Board has determined a need to appoint a safety officer for the Town of Big Flats, now

BE IT THEREFORE RESOLVED the Town Board appoints Larry Wagner, Commissioner of Public Works as Safety Officer.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 62-10
SENIOR BUS TRIP ADVISORY COMMITTEE APPOINTMENT APPROVED

Resolution by: Hudock
Seconded by: Manchester

WHEREAS the Town Board has determined that a committee should be established for senior trip activities, and

WHEREAS for environmental purposes this is a Type II Action in accordance with 6NYCRR, Part 617.5(c)(20) and as such no further review is necessary, now

BE IT THEREFORE RESOLVED an Advisory Committee be established comprising of Dick and Jean Leavenworth, Norma and Bob Newlun, and Albert and Linda Redner to plan Senior Bus Trips and other activities appropriate for the Big Flats Senior Citizen Committee.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 63-10
PETTY CASH FUNDS ESTABLISHED

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board establishes the following Petty Cash Funds:

Tax Collector	\$100.00
Town Clerk	\$ 50.00
Town Justices	\$ 75.00
Water District #1, #2, #3, and #4	\$ 50.00 each
Building Inspector	\$ 25.00
Bookkeeping	\$ 25.00
Department of Public Works	\$ 50.00
Community Center	\$100.00

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 64-10
CONTRACT FOR BASKET WEAVING INSTRUCTOR APPROVED

Resolution by: Manchester
Seconded by: Hudock

WHEREAS the Community Center Director has determined and recommended that a Basket Weaving Instructor is needed to provide general recreational activities as part of the Big Flats Community Center services and programs, and

WHEREAS for environmental purposes the contracting of such services is a Type II administration action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board hereby authorizes the Town Supervisor to execute a service contract with Debbie Blauvelt for the purpose of teaching basket weaving at a cost of the following:

Amy's Basket	\$25.00; Bee hive	\$18.00; Blueberry Love	\$25.00;
Blueberry Large	\$28.00; Bread basket	\$28.00;	
Casserole, 1 handles	\$32.00; Casserole, 2 handle	\$37.00; Catch-all	\$23.00;
Cherry Picking	\$23.00; Clothespin	\$20.00; Country Kettle	\$37.00;
Curly Wall	\$23.00; Easter	\$22.00; Elbow	\$18.00;
Emily's	\$18.00; Fancy Tool	\$20.00; French	\$22.00;
Friendship	\$22.00; Frosty	\$18.00; Grape gathering	\$35.00;
Hattie's	\$25.00; Heart (shallow)	\$18.00; Itty Bitty	\$18.00;
Jingle Bell	\$17.00; Just a Cutie	\$12.00; Large Tote	\$42.00;
Lazy Hearts	\$25.00; Lunch box	\$22.00; Magazine	\$26.00;
Matchstick	\$18.00; Mom's	\$15.00; Monica's	\$25.00;
Nancy's Market	\$28.00; Napkin	\$22.00; Oval	\$23.00;
Penobscot	\$28.00; Picnic	\$30.00; Pie basket	\$25.00;
Pie Large	\$28.00; Red Riding Hood	\$26.00; Small Blueberry	\$25.00;
Small welcome	\$18.00; Strawberry Love	\$23.00; Wine, single	\$28.00;
Wine, double	\$22.00; Williamsburg	\$30.00 per person; and	

FURTHER RESOLVED said contract is approved in accordance with the terms and conditions of the agreement.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 65-10
CONTRACT WITH BONNIE RANIEWICZ - YOGA INSTRUCTOR APPROVED

Resolution by: Manchester
Seconded by: Hudock

WHEREAS the Community Center Director has determined and recommended that a Yoga Instructor is needed to provide general recreational activities as part of the Big Flats Community Center services and programs, and

WHEREAS for environmental purposes the contracting of such services is a Type II administration action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board hereby authorizes the Town Supervisor to execute a service contract with Bonnie Raniewicz for the purpose of teaching yoga classes at the cost of \$25.00 per session in accordance with the terms and conditions of the agreement.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 66-10
CONTRACT WITH COLLEEN LaDELIA - PILATES INSTRUCTOR APPROVED

Resolution by: Manchester
Seconded by: Hudock

WHEREAS the Community Center Director has determined and recommended that a Pilates Instructor is needed to provide general recreational activities as part of the Big Flats Community Center services and programs, and

WHEREAS for environmental purposes the contracting of such services is a Type II administration action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board hereby authorizes the Town Supervisor to execute a service contract with Colleen LaDelia for the purpose of teaching Pilates classes at a cost of 70% of the fee charged in accordance with the terms and conditions of the agreement.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 67-10

CONTRACT WITH DEBBY THOMSON AS THE NIA INSTRUCTOR APPROVED

Resolution by: Dean

Seconded by: Fairbrother

WHEREAS the Community Center Director has determined and recommended that a Nia Instructor is needed to provide general recreational activities as part of the Big Flats Community Center services and programs, and

WHEREAS for environmental purposes the contracting of such services is a Type II administration action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board hereby authorizes the Town Supervisor to execute a service contract with Debby Thomson for the purpose of teaching Nia classes at the cost of 80% of the fee charged in accordance with the terms and conditions of the agreement.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester

NAYS: None

RESOLUTION NO. 68-10

CONTRACT WITH MEGHAN TUAZON AS THE NIA INSTRUCTION APPROVED

Resolution by: Dean

Seconded by: Fairbrother

WHEREAS the Community Center Director has determined and recommended that a Nia Instructor is needed to provide general recreational activities as part of the Big Flats Community Center services and programs, and

WHEREAS for environmental purposes the contracting of such services is a Type II administration action in accordance with SEQRA 6NYCRR, Part 617.5(c) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board hereby authorizes the Town Supervisor to execute a service contract with Meghan Tuazon for the purpose of teaching Nia classes at the cost of 80% of the fee charged in accordance with the terms and conditions of the agreement.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester

NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 69-10

DEPARTMENT OF CORRECTIONAL SERVICES AGREEMENT APPROVED

Resolution by: Dean

Seconded by: Smith

WHEREAS the Commissioner of Public Works has requested the Town Board enter into an agreement with the Department of Correctional Services for the purpose of providing labor services for the cleaning and maintaining of Town roads, parks, ditches, drainage swales, and other applicable services as necessary, and

WHEREAS for environmental review purposes the Town Board finds the hiring of personnel to be a Type II Action and as such no environmental review is required,

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to sign the required Agreement for calendar year 2010 with the Department of Correctional Services for the purposes of providing labor services for the cleaning and maintaining of Town roads, parks, ditches, drainage swales, and other applicable services as necessary.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester

NAYS: None

RESOLUTION NO. 70-10

GST BOCES AGREEMENT APPROVED

Resolution by: Dean

Seconded by: Smith

WHEREAS Greater Southern Tier (GST) BOCES proposes to provide necessary drug and alcohol testing for applicable Town Employees, and

WHEREAS GST BOCES proposal fully and adequately provides the necessary services herein at a fair and service at a cost of \$103.00 per driver, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Commissioner of Public Works is hereby authorized to execute a one-year agreement with GST BOCES at the annual cost of \$103.00 per Town driver, for the purposes of conducting the necessary drug and alcohol testing of the applicable Town employees.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester

NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 71-10
DAVIS-ULMER AGREEMENT APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS testing and inspection of the sprinkler systems and backflow preventers is required by New York State regulations, and

WHEREAS at the request of the Commissioner of Public Works, Davis-Ulmer, Inc. has submitted a proposal to provide inspection, testing, and preventative maintenance for the sprinkler systems and backflow preventers in the Community Center and two Department of Public Works buildings, and

WHEREAS the inspection, testing, and preventative maintenance of the sprinkler system will be performed in accordance with 901.6 of the Fire Code of New York State and Chapters 5 and 12 of NFPA 25-1998 edition, and

WHEREAS the Commissioner of Public Works recommends the Town Board enter into a maintenance agreement with Davis-Ulmer, Inc for the purpose of providing inspection, testing, and preventative maintenance on the sprinkler systems and backflow preventers within said buildings, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Commissioner of Public Works to enter into an agreement with Davis-Ulmer, Inc. for the purpose of providing inspection, testing, and preventative maintenance on the sprinkler systems and backflow preventers for the Community Center and two Department of Public Works buildings at a cost of \$1,100.00 annually.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 72-10
AGREEMENT WITH BRIGGS APPRAISAL SERVICES APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Town Board has, as recommended by the Assessor, determined it necessary to contract with Briggs Appraisal Services for the purposes of review and assessment for properties located in the Town of Big Flats, and

WHEREAS the administration process of Town personnel is a Type II action for purposes of SEQRA and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to enter into an agreement with Briggs Appraisal Services for professional services at a cost not-to-exceed \$10,000.00 contingent upon the review and approval of the Attorney for the Town.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 73-10
CRANBERRY FOG CONTRACT APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Town Board has determined that a computer consultant is needed and has previously entered into contracts with Marc Chevalier of Cranberry Fog, and

WHEREAS a contact is necessary for the year 2010, and

WHEREAS the hiring of personnel is a Type II action for purposes of SEQRA and as such, no further action is necessary regarding the same.

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to enter into an agreement with Cranberry Fog as proposed for the purpose of services for a period running from January 1, 2010 through December 31, 2010 for a total cost not-to-exceed \$19,260.00.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 74-10
MUNICIPAL HIGHWAY AGREEMENT APPROVED

Resolution by: Smith

Seconded by: Fairbrother

WHEREAS, all municipalities, including the Town of Big Flats have the power and authority to contract for the purpose of renting, leasing, exchanging or borrowing of machinery and equipment, with or without operators, with other municipalities, and

WHEREAS, all municipalities, including the Town of Big Flats have the power and authority to borrow or lend materials and supplies to other municipalities, and

WHEREAS, it is hereby determined that the Town of Big Flats and other municipalities have machinery and equipment which is not used at all times but lie idle during certain periods, and

WHEREAS, it is determined that the Town of Big Flats and other municipalities often have materials and supplies on hand which are not immediately needed, and

WHEREAS, it is hereby determined that by the renting, borrowing, exchanging or leasing of highway machinery and equipment and the borrowing or lending of materials and supplies, the Town of Big Flats and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or keeping a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

WHEREAS, all municipalities have the power and authority to contract for the purpose of renting, leasing, exchanging or borrowing of machinery and equipment, with or without operators, with other municipalities, and

WHEREAS, all municipalities have the power and authority to borrow or lend materials and supplies to other municipalities, and

WHEREAS, it is hereby determined that the Town of Big Flats and other municipalities have machinery and equipment which is not used at all times but lie idle during certain periods, and

WHEREAS, it is determined that the Town of Big Flats and other municipalities often have materials and supplies on hand which are not immediately needed, and

WHEREAS, it is hereby determined that by the renting, borrowing, exchanging or leasing of highway machinery and equipment and the borrowing or lending of materials and supplies, the Town of Big Flats and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or keeping a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 74-10, MUNICIPAL HIGHWAY AGREEMENT continued

WHEREAS, it is recognized and determined, from a practical working arrangement, that no program of borrowing, exchanging, leasing or renting of highway machinery and equipment or borrowing or lending of materials can be successful if each individual arrangement or agreement has to receive prior approval by the Town Board and governing board of each of the other municipalities which may be parties to such agreements, since such agreements must often be made on short notice and at times when governing board are not in session , and

WHEREAS, it is incumbent upon each municipality to design a simple method whereby materials and supplies, equipment and machinery, including the operators thereof, may be quickly obtained with a minimum of paperwork and inconvenience and with a swift approval process, and

WHEREAS, it is the intent of this Town Board to give the Commissioner of Public Works the authority to enter into renting, exchanging, borrowing and lending agreements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the Town Board prior to the making of each individual agreement, and

WHEREAS, a standard contract has been prepared which is expected to be adopted and placed into effect in other municipalities which contract will grant the person holding the position comparable to that of superintendent authority to make similar agreements, and

WHEREAS, it is hereby determined that it will be in the best interests of the Town of Big Flats to be a party to such an agreement, and

NOW, THEREFORE, BE IT RESOLVED, that the chief executive officer of Town of Big Flats is hereby authorized to sign on behalf of the Town, the following contract:

CONTRACT OF SHARED SERVICES

§1. For the purposes of this contract, the following terms shall be defined as follows:

"Designated filing Agent" shall mean the central place where all similar contracts for highway shared services are filed as agreed upon by all participating municipalities.

"Municipality" shall mean any city, county, town or village which has agreed to be bound by a contract of shared services identical in terms and effect with this contract and has filed a certified copy of a resolution to that effect with the designated filing agent as defined herein.

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 74-10, MUNICIPAL HIGHWAY AGREEMENT continued

"Contract" shall mean the text of this agreement which is identical in terms and effect with similar agreements, notwithstanding that each such contract is signed only by the Chief executive officer of each participating municipality filing the same, and upon such filing each filing municipality accepts the terms of the contract to the same degree and effect if each chief executive officer had signed each individual contract.

"Shared Services" shall mean any service provided by one municipality for another municipality that is consistent with the purposes and intent of this contract and shall include but shall not be limited to:

- the renting, exchanging, or lending of highway machinery, tools and equipment, with or without operators, conditioned on such other municipality providing a similar service, or a service of equal value, in exchange;
- the borrowing or lending of supplies between municipalities on a temporary basis conditioned upon the replacement of such supplies or conditioned upon the obtaining of equal value through the provision of a service by the borrower or by the lending of equipment by the borrow, the value of which is equal to the borrowed supplies;
- the providing of a specific service for another municipality, conditioned on such other municipality providing a similar service, or a service of equal value, in exchange.

"Commissioner of Public Works" shall mean, the case of a county, the county superintendent of highways, or the person having the power and authority to perform the duties generally performed by county superintendents of highways; in the case of a town, "superintendent" shall mean the town superintendent of highways; in the case of a village, "superintendent" shall mean the superintendent of public works.

§ 2. The undersigned municipality has caused this agreement to be executed and to bind itself to the terms of this contract and it will consider this contract to be applicable to any municipality which has filed a similar contract in the office of the designated filing agent and which has sent a notice of such filing to the officer signing this agreement and the Superintendent of the Town of Big Flats.

§ 3. The undersigned municipality by this agreement grants unto the Commissioner of Public Works the authority to enter into any shared service agreement with any other municipality or other municipalities subject to the following terms and conditions.

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 74-10, MUNICIPAL HIGHWAY AGREEMENT continued

- a. The Town of Big Flats agrees to rent or exchange or borrow from any municipality any and all materials, machinery and equipment, with or without operators, which it may need for the purposes of the Town. The determination as to whether such machinery, with or without operators, is needed by the Town shall be made by the Superintendent. The value of materials or supplies borrowed from another municipality under this agreement may be returned in the form of similar types and amounts of materials or supplies, or by the supply of equipment or the giving of services of equal value, to be determined by mutual agreement of the respective Superintendents.
- b. The Town of Big Flats agrees to rent, exchange or lend to any municipality any and all materials, machinery, and equipment, with or without operators, which such municipality may need for its purposes. The determination as to whether such machinery or material is available for renting, exchanging or lending shall be made by the Superintendent. In the event the Superintendent determines that it will be in the interests of the Town/Village to lend to any other municipality, the Superintendent is hereby authorized to lend to another municipality. The value of supplies or materials loaned to another municipality may be returned to the Town of Big Flats by the borrowing municipality in the form of similar types and amounts of materials or supplies, or by the use of equipment or receipt of services of equal value, to be determined by mutual agreement of the respective Superintendents.
- c. An operator of equipment rented or loaned to another municipality, when operating such equipment for the borrowing municipality, shall be subject to the direction and control of the Commissioner of Public Works of the borrowing municipality in relation to the manner in which the work is to be completed. However, the method by which the machine is to be operated shall be determined by the operator.
- d. When receiving the services of an operator with a machine or equipment, the receiving Commissioner of Public Works shall make no request of any operator which would be inconsistent with any labor agreement that exists for the benefit of the operator in the municipality by which the operator is employed.
- e. The lending municipality shall be liable for any negligent acts resulting from the operation of its machinery or equipment by its own operator. In the event damages are caused as a result of directions given to perform work, then the lending municipality shall be held harmless by the borrowing municipality.
- f. Each municipality shall remain fully responsible for its own employees, including salary, benefits and workers compensation.

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 74-10, MUNICIPAL HIGHWAY AGREEMENT continued

§ 4. The renting, borrowing or leasing of any particular piece of machinery or equipment, or the exchanging or borrowing of materials or supplies, or the providing of a specific service shall be evidenced by the signing of a memorandum by the Superintendent. Such memorandum may be delivered to the other party via mail, personal delivery or by facsimile machine. In the event there is no written acceptance of the memorandum, the using of the machinery, the receipt of the materials or supplies or the acceptance of a service shall be evidence of the acceptance of the offer to rent, exchange or lend.

§ 5. In the event any shared agreement is made without the memorandum at the time of receipt of the shared service, the Superintendent receiving the shared service shall, within five (5) days thereof, send to the provider a memorandum identifying the type, time and date of the acceptance of the shared service. In the event such shared service related to or included the receipt of any materials or supplies, such memorandum shall identify such materials or supplies and the time and place of delivery.

§6. In the event a municipality wishes to rent machinery or equipment from another municipality or in the event a municipality wishes to determine the value of such renting for purposes of exchanging shared services of a comparable value, it is agreed that the value of the shared service shall be as set forth in the memorandum.

§7. All machinery and the operator, for purposes of workers compensation, liability and any other relationship with third parties, except as provided in §3e of this agreement, shall be considered the machinery of and the employee of the municipality owning the machinery and equipment.

§8. In the event machinery or equipment being operated by an employee of the owning municipality is damaged or otherwise in need of repair while working for another municipality, the municipality owning the machinery or equipment shall be responsible to make or pay for such repairs. In the event machinery or equipment is operated by an employee of the borrowing, receiving or renting municipality, such municipality shall be responsible for such repairs.

§9. Records shall be maintained by each municipality setting forth all machinery rentals, exchanges, borrowings or other shared services. Such records will be available for inspection by any municipality which has shared services with such municipality.

§10. In the event any dispute arises relating to any shared service, and in the event such dispute cannot be resolved between the parties, such dispute shall be subject to mediation, as may be promulgated.

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 74-10, MUNICIPAL HIGHWAY AGREEMENT continued

§11. Any action taken by the Commissioner of Public Works pursuant to the provisions of this contract shall be consistent with the duties of such official and expenditures incurred shall not exceed the amounts set forth in the Town budget for highway purposes.

§12. A record of all transactions that have taken place as a result of the Town participating in the services afforded by this contract shall be kept by the Commissioner of Public Works and a statement thereof, in a manner satisfactory to the Town Board, shall be submitted to the Town Board semi-annually on or before the first day of June and on or before the first day of December of each year following the filing of the contract with the designated filing agent, unless the Town Board requests the submission of records at different times and dates.

§13. If any provision of this agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid and operative, or if it cannot be so modified, then severed and the remainder of the contract shall continue in full force and effect as if the contract has been signed or filed with the designated filing agent with the invalid person s modified or eliminated.

§14. Any party to this contract may revoke such contract by sending a notice of such revocation to the designated filing agent and a copy thereof to each participating municipality filing as required by paragraph 1 of this contract, within the definition of "Municipality". Upon the revocation of such contract, any outstanding obligations shall be settled within thirty days of such revocation unless the parties with whom an obligation is due agree in writing to extend such date of settlement.

§15. This contract shall be reviewed each year by the Town Board and shall expire five (5) years from the date of its signing by the Chief Executive Officer. The Town Board may extend or renew this contract at the termination thereof for another five (5) year period.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 75-10
PREPAYMENT APPROVED

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board authorizes the following prepayments:

W.J. Farmer Insurance	\$54,554.70
PERMA, Workers Compensation Premium	\$41,951.00
Association of Towns for 2010 Association Membership Dues	\$ 1,199.00
KVS Information Systems	\$ 4,266.00
Law Office of Thomas W. Reed II, PLLC	\$10,000.00
Association of Towns – Newly Elected Officials Conference	\$ 200.00
The Double Tree	\$ 202.00

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 76-10
ENCUMBRANCE FUNDS APPROVED

Resolution by: Hudock
Seconded by: Manchester

RESOLVE the Town Board authorizes the following encumbrances:

2008 balance of unused JCAP Grants (Court)	\$6,564.79
HVAC work at Community Center – A1620.0400	\$26,412.00
Highway truck purchase, Machinery & Equip. – D5130.0200	\$28,158.10
Highway truck purchase. Machinery & Equip. – D5130.0200	\$33,416.86
Com Cntr Construct/labor 2 wooden Cupboards – A7140.0200	\$6,000.00

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 77-10
SUPPORT FOR 2010 RESOLUTIONS AT THE ASSOCIATION OF TOWNS MEETING
APPROVED

Resolution by: Dean
Seconded by: Smith

WHEREAS the Town Board has received numerous resolutions from the Association of Towns to be considered at their 2010 training school, and

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 77-10, SUPPORT FOR 2010 RESOLUTIONS AT THE ASSOCIATION OF TOWNS MEETING APPROVED continued

WHEREAS for environmental review, ministerial acts is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town Board of the Town of Big Flats supports the adoption of the following resolutions submitted by the Association of Towns of the State of New York:

- Preserve and Strengthen Home Rule;
- Preserve Local Democracy – At Large Elections;
- Mandate Relief;
- Highway and Transportation Funding;
- Road Preservation Bonds;
- Reform of GML §207-c Disability Benefits for Law Enforcement;
- Preserve and Strengthen Local Government's Role in the Siting of Energy Generation Facilities;
- Publication of Legal Notices;
- Preservation of Town Registrars of Vital Statistics; and
- Municipal Deposits in Credit Unions and Thrift Institutions.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester

NAYS: None

RESOLUTION NO. 78-10
CHEMUNG COUNTY DEPARTMENT OF AGING AND LONG TERM CARE
AGREEMENT APPROVED

Resolution by: Dean

Seconded by: Smith

WHEREAS the Town Board has determined to enter into a lease agreement with Chemung County for the purposes of providing a community hall and kitchen areas, utilities and heat for the Congregate Meal Program for the Chemung County Office for the Aging, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 78-10, CHEMUNG COUNTY DEPARTMENT OF AGING AND LONG TERM CARE AGREEMENT APPROVED continued

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to enter into a lease agreement with Chemung County for the purpose of providing a community hall and kitchen areas, utilities and heat for the Congregate Meal Program for the Chemung County Department of Aging and Long Term Care.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 79-10
FEE SCHEDULE ADOPTED

Resolution by: Fairbrother
Seconded by: Hudock

WHEREAS to alleviate any undo burden to the tax payers in the Town of Big Flats and to adequately reimburse the Town for services provided to private citizens and developers by employees of the Town, and

WHEREAS the Town has evaluated and considered the cost associated with various application reviews, variances, permits, inspections and licensing finds that the cost for the services provided by the Town are reasonable and attributable to the applicant for such considerations, review, licensing or permit, and

WHEREAS for environmental review purposes the adoption of a Fee Schedule is a Type II action under SEQRA, 6NYCRR part 617.5(c)(19) and (26), now

BE IT THEREFORE RESOLVED that all expenses incurred by the Town relating to applications and licensing as required by the Town Code are to be paid by the applicant for such actions, and

FURTHER RESOLVED that the fees listed in this resolution are in addition to the consultant, inspection and/or legal pass-thorough fees pursuant to Local Law No. 10, 2001, Chapter 2.08 of the Town Code, and

FURTHER RESOLVED that the following application and licensing fee schedules are hereby adopted and in effect for the listed activities or actions:

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RESOLUTION NO. 79-10, FEE SCHEDULE ADOPTED continued

COMMUNITY CENTER RENTAL FEES				
GROUP	ROOM	SECURITY DEPOSIT	8:00 am-9:00 pm	After 9:00 pm and Saturdays
1. Town Sponsored groups	A, B, C, D, Kitchen-catering, Kitchen-classroom, Great Room			
2 & 3. Local Non-profit and Private Resident	A	\$30.00		\$10.00/hour
	B	\$30.00		\$10.00/hour
	C	\$30.00		\$10.00/hour
	D	\$30.00		\$10.00/hour
	Kitchen-catering			\$50.00 flat fee*
	Kitchen-classroom	\$50.00		\$10.00/hour**
	Great Room	\$100.00		\$75.00/hour***
	Patio	\$30.00		\$10.00/hour*
	Conference Room			\$10.00/hour
4. Private Non-resident	A	\$50.00	\$10.00/hour	\$20.00/hour
	B	\$50.00	\$10.00/hour	\$20.00/hour
	C	\$50.00	\$10.00/hour	\$20.00/hour
	D	\$50.00	\$10.00/hour	\$20.00/hour
	Kitchen-catering		\$100.00 flat fee	\$200.00 flat fee*
	Kitchen-classroom	\$75.00	\$25.00/hour	\$50.00/hour**
	Great Room	\$150.00	\$75.00/hour	\$150.00/hour****
	Patio	\$50.00	\$10.00/hour*	\$20.00/hour*
	Conference Room		\$10.00/hour	\$20.00/hour

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5. Business Resident	A	\$50.00	\$15.00/hour	\$30.00/hour
	B	\$50.00	\$15.00/hour	\$30.00/hour
	C	\$50.00	\$15.00/hour	\$30.00/hour
	D	\$50.00	\$15.00/hour	\$30.00/hour
	Kitchen-catering		\$100.00 flat fee	\$200.00 flat fee*
	Kitchen-classroom	\$75.00	\$25.00/hour	\$50.00/hour **
	Great Room	\$150.00	\$75.00/hour	\$150.00/hour****
	Patio	\$50.00	\$15.00/hour*	\$30.00/hour*
	Conference Room		\$15.00/hour	\$30.00/hour
6. Business Non-resident	A	\$75.00	\$25.00/hour	\$50.00/hour
	B	\$75.00	\$25.00/hour	\$50.00/hour
	C	\$75.00	\$25.00/hour	\$50.00/hour
	D	\$75.00	\$25.00/hour	\$50.00/hour
	Kitchen-catering		\$150.00 flat fee	\$250.00 flat fee*
	Kitchen-classroom	\$100.00	\$50.00/hour	\$75.00/hour**
	Great Room	\$200.00	\$200.00/hour	\$300.00/hour****
	Patio	\$75.00	\$25.00/hour*	\$50.00/hour*
	Conference Room		\$25.00/hour	\$50.00/hour

*In conjunction with Great Room

**Use minimum 2 hours

***Minimum of 4 hours and if table/chair(s) are required, there is a set-up/teardown cost:

Minimum \$25.00 for 30-50 people
 \$50.00 for 51-150 people
 \$75.00 for 150+ people

For Groups of 40-75 the charge will be \$45.00

For groups of 76+ the charge will be \$75.00

****Minimum of 4 hours and if table/chair(s) are required, there is a set-up/teardown cost:

Minimum \$25.00 for 30-50 people
 \$50.00 for 51-150 people
 \$75.00 for 150+ people

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 79-10, FEE SCHEDULE ADOPTED continued

BUILDING PERMIT APPLICATION FEE SCHEDULE

PROJECT TITLE	BASE FEE	ADDITIONAL FEES
1 & 2 Family Properties	\$ 30.00	Add \$1.00 per thousand of construction cost AND Add \$0.10 per square foot for new construction (living space)
Roofing / Residential	\$ 30.00	Add \$1.00 per thousand of construction cost
Roofing / Commercial	\$ 50.00	Add \$2.00 per thousand of construction cost
Multi-family and Apartments	\$ 40.00	Add \$1.00 per thousand of construction cost AND Add \$0.10 per square foot for new construction (living space)
Commercial & Industrial	\$ 50.00	Add \$2.00 per thousand of construction cost AND Add \$0.02 per square foot for remodeling AND Add \$0.10 per square foot for new construction
Demolition and Removal Permits	\$ 25.00 \$ 50.00	Residential Commercial
Driveway / Curb Cut	\$ 10.00 \$ 50.00	Residential Commercial
Mobile Home Setup	\$ 75.00	NA
Sheds	\$ 25.00	With NO dimension larger than 16'
Swimming Pools	\$ 30.00	In ground and above ground
Signs	\$ 25.00	PLUS \$0.25 square foot Add \$50.00 for freestanding sign
Systems Permits (HVAC, plumbing, electric, other mechanical)	\$ 25.00 \$ 75.00	Residential Commercial
Building without a Permit	\$50.00	PLUS cost of permit
Permit Renewal	50% of cost of original permit	NA – renewal for 6 months.
Fuel Tank Removal / Installation (Commercial)	\$30.00	NA
Fuel Dispensing Island with canopy	\$50.00	NA

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 79-10, FEE SCHEDULE ADOPTED continued

FIRE INSPECTION FEES FOR COMMERCIAL BUILDINGS

<i>Square foot of floor space</i>	<i>Base fee¹</i>	<i>Each visit over base fee</i>
Up to 1,000 sq. ft.	\$25.00	\$10.00
1001 to 3000 sq. ft.	\$50.00	\$25.00
3,001 to 10,000 sq. ft.	\$100.00	\$30.00
10,001 to 50,000 sq. ft.	\$150.00	\$40.00
50,001 to 100,000 sq. ft.	\$200.00	\$50.00
100,001 sq. ft. and over	\$500.00	\$100.00

In multiple occupants building each tenant will be charged a separate fee.

OPERATIONAL PERMITS:

Assembly – yearly will be included with base inspection fee.

Commercial – every three (3) years will be included in base inspection fee.

Single Event – Pyrotechnics, outdoor events and all others = \$100.00

RESIDENTIAL:

1 and 2 family exempt

Apartments \$15.00 each

APPLICATION TO THE PLANNING BOARD

Site Plan Review

- Residential \$250.00, plus \$50.00 per 1,000 sf gross floor area
- Non-Residential \$500.00, plus \$150.00 per 2,500 sf gross floor area
- Concept Plan \$200.00, fee goes toward full review

Subdivision

- 2 lots or less \$200.00 plus \$50.00 per lot
- 3 lots or more \$500.00 plus \$100.00 per lot
- Concept Plan \$200.00, fee goes toward full review

Planned Unit Development

- Application Fee \$150.00

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 79-10, FEE SCHEDULE ADOPTED continued

APPLICATION FEES FOR SPECIAL PERMIT, VARIANCE, ZONING AMENDMENT	
APPLICATION	BASE FEE
SPECIAL PERMIT	
ALL	\$150
VARIANCE	
RESIDENTIAL AREA	\$250*
NON-RESIDENTIAL AREA	\$500*
SIGN	\$250 – Residential* \$500.00 – non-residential *
USE	\$1,000
ZONING AMENDMENT	
UP TO 5 ACRES	\$100
5 - 25 ACRES	\$250
25+ ACRES	\$500
OTHER PERMITS FEE SCHEDULE	
APPLICATION	BASE FEE
TIMBER HARVEST PERMIT	\$35 plus the required Performance Bond or Certified Check at the rate of \$30.00 per acre or a maximum of \$2,500 for the purposes outlined in Chapter 5.16 of the Town Code
FLOODPLAIN DEVELOPMENT PERMIT	\$25
JUNK DEALERS' LICENSE	\$50
PEDDLERS AND SOLICITORS LICENSE	\$25 plus \$10 for each additional person or vehicle used for the purposes outlined in Local Law # 8 of 2001, Chapter 5.12 of the Town Code
UNREGISTERED MOTOR VEHICLE PERMIT	
1 – 60 DAYS	\$25

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

61 – 120 DAYS	\$50
121 – 270 DAYS	\$150
271 – 365 DAYS	\$300

PHOTO COPYING FEES	
SIZE/DOCUMENTS	\$ PER PAGE
<9" X 14"	\$.25
>9" X 14", plans, Subdivision Plat, books, codes & other large documents	Actual cost of reproduction or procurement
DOG LICENSES FEES	
	FEE²
Spayed Females/Neutered Males	\$3.50
Un-spayed Females/Un-neutered Males	\$9.50

¹Based on initial visit and on follow-up visit.

²State fees are in addition to the local fees listed in this table.

PENALTY RATES: A one-time late payment penalty rate of ten percent (10%) shall be imposed for any fee not paid within thirty days of written notice of such fee. After November 1, any amount remaining due for any unpaid permit fees will be included in the annual Town tax levy, and the amount so levied will include an administrative service fee of twenty-five dollars (\$25.00) and a delinquent account penalty of one hundred seventy five dollars (\$175.00).

NOTE: A consultant, inspection and/or legal pass-through fee pursuant to Chapter 2.08 of the Town Code may be applicable in addition to any application fee listed in this schedule

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

**RESOLUTION NO. 80-10
CLOTHING / UNIFORM POLICY APPROVED**

Resolution by: Smith

Seconded by: Hudock

WHEREAS the Town Board had received request and purchases have been made for the purpose of purchasing clothing with the Town of Big Flats seal, and

WHEREAS concerns have been raised relative to the purpose and cost of the clothing purchase, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c)(20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board requires, effective immediately, all clothing and uniform purchases must be approved by the Town Board prior to order being placed, except for those purchases as identified and approved under union contract.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 81-10
2010 NON-UNION EMPLOYEE HOLIDAY APPROVED

Resolution by: Smith
Seconded by: Hudock

WHEREAS a resolution was adopted by the Town Board authorizing the non-union employees to have a floating holiday rather than a set Martin Luther King Jr. holiday, and

WHEREAS the non-union employees have recommended the floating holiday be set for Monday, February 15, 2010, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c)(20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board set the 2010 non-union employees floating holiday for Monday, February 15, 2010.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

RESOLUTION NO. 82-10
ANSCHUTZ EXPLORATION CORPORATION OIL AND GAS LEASE APPROVED

Resolution by: Smith
Seconded by: Hudock

WHEREAS the Town of Big Flats has been approached by Anschutz Exploration Corp. for the purpose of providing an Oil and Gas Lease for property owned by the Town of Big Flats, and

WHEREAS said lease would be for a primary term of three (3) years, and

WHEREAS the Town Board has been requested to provide Oil and Gas Leases for property on or near Kahler Road, also known as Pioneer Cemetery and streets named Albert Drive, Wolcott Drive, Lewis Street, Melvins Lane, Deo Street and Alley Kahn Drive, and

WHEREAS for environmental purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to sign the subject Oil and Gas Lease with Anschutz Exploration Corp.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 83-10
AMENDMENT TO THE TOWN OF BIG FLATS HANDBOOK REGARDING BENEFIT
TIME CALCULATION APPROVED

Resolution by: Smith
Seconded by: Hudock

WHEREAS the Personnel Committee recommended a change to the Employee Handbook regarding calculation of benefit time based on 6 hour, 7.50 hour, and 8.00 hour work days, and

WHEREAS for environmental purposes this a Type II Action for purposes of SEQRA in accordance with 6NYCRR, Part 617.5 (c)(20) and (27) and as such, requires no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board amends the Employee Handbook to incorporate the following benefit time calculation schedule:

YEARS OF SERVICE	WORKDAY HOURS	SICK HOURS	VACATION HOURS	PERSONAL HOURS
Up to 5 years	6.00	2.80	2.40	
5-15 Years	6.00	2.80	3.60	
15 + years	6.00	2.80	4.80	
One (1) year after				18.00
=====				
Up to 5 years	7.50	3.50	3.00	
5-15 Years	7.50	3.50	4.50	
15 + years	7.50	3.50	6.00	
One (1) Year after				22.50
=====				
Up to 5 years	8.00	3.73	3.20	
5-15 Years	8.00	3.73	4.80	
15 + years	8.00	3.73	6.40	
One (1) year after				24.00

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

PROPOSED RESOLUTION NO. 84-10
A RESOLUTION ESTABLISHING STANDARD WORKWEEK
AND WORKDAY APPROVED

Resolution by: Manchester

Seconded by: Dean

WHEREAS Resolution No. 100-92 set the standard work day for the elected officials, and

WHEREAS it is necessary to amend and establish a standard workday for elected and appointed officials for the purpose of determining days worked reportable to the retirement system, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town board does hereby establish the following:

Elected Officials

Standard workday is a six (6) hour day, for a Five (5)-day workweek

Town Supervisor

Council Member (4)

Tax Collector

Town Justice (2)

Standard workday is a seven and a half (7 ½) hours day, for a Five (5)-day workweek

Town Clerk

Appointed Employees

Standard workday is six (6) hour day, for a Five (5)-day workweek

Town Attorney

Members of all Boards & Commissions

PT Clerical Employees

Temporary Employees

Seasonal Youth Employees

Standard workday is a eight (8) hour day, Five (5)-day workweek

Equipment Operator

Water System Supervisor

Working Foreperson

Seasonal Laborers

Standard workday is a seven and a half (7 ½) hour day, Four (4)-day workweek

Assessor

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

PROPOSED RESOLUTION NO. 84-10, A RESOLUTION ESTABLISHING STANDARD
WORKWEEK AND WORKDAY APPROVED continued

All Other Full Time Employees

Standard workday is a seven and a half (7 ½) hours day, for a Five (5)-day workweek

Bookkeeper

Senior Clerk

Court Clerk

Secretary 1

Deputy Town Clerk

Youth Coordinator

Commissioner of DPW

Director of Planning

Planner

Building Inspector/Code Enforcement Officer

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS None

RESOLUTION NO. 85-10

BACKUP AND RESTORE SOFTWARE APPROVED

Resolution by: Fairbrother

Seconded by: Smith

WHEREAS discussion has been made with Marc Chevalier of Cranberry Fog regarding the backup and restoration of Town computers, and

WHEREAS Mr. Chevalier had conducted research and proposes the Town Board consider purchasing advanced server protection for the Windows 2003 server at the cost of \$1,047.37 and advanced workstation protection for the Windows XP PC at the cost of \$76.80 per workstation, and

WHEREAS for environmental review, purchasing is a Type II action in accordance with SEQRA, 6NYCRR Part 617.5 (c)(19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board approves the purchase of an advanced server protection for the Windows 2003 server from CDW-G at the cost of \$1,047.37, and

FURTHER RESOLVE the Town Board also approves the purchase of 22 workstation protection for the Windows XP PC at the rate of \$76.80 per station, and

RESOLVED the total cost of the purchase from CDW-G on state bid is not to exceed \$2,736.97.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 86-10
CHEMUNG COUNTY HUMANE SOCIETY & SPCA AGREEMENT APPROVED

Resolution by: Hudock
Seconded by: Manchester

WHEREAS the Town Board requested a proposal from the Chemung County Humane Society & SPCA for the purpose of conducting dog control, and

WHEREAS for environmental review purposes the Town Board finds this to be Type 2 administrative action pursuant to 6NYCRR 617.5(c)(19) and as such, no environmental review is required for a Type 2 action, now

BE IT THEREFORE RESOLVED, the Town Board authorizes the Town Supervisor to enter into an agreement with the Chemung County Humane Society & SPCA for the purposes of conducting dog control at a cost not-to-exceed \$17,586.00 for the 2010 calendar year.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester
NAYS: None

REPORTS

Supervisor Dean informed the Town Board that the Website contract will expire within 90 days. Josh Miller will no longer be working for the City of Elmira, and a new proposal will be brought to the board.

Supervisor Dean and councilperson Hudock along with the Attorney and Judge will meet and discuss the Local Law that was passed regarding the general violations and penalties.

Supervisor Dean will be working on a training session for the town employees, which should take 2 hours.

CONCERNS OF THE PEOPLE

Judy Zimmerman, Big Flats Community Center Director, noted that Tonya McGary senior strength trainer and Elizabeth Nalbach, Nia Instructor agreements were missing from the organizational Meeting Resolution for employment.

Jeff O'Donnell, 88 Belaire Drive, stated he is disappointed that the former Supervisor did not provide notes and messages directly to the newly elected Supervisor.

James Rhodes, 25 River Street, asked the Councilperson Manchester to be more accommodating with Supervisor Dean and help bring her up to speed with what is going on.

Councilperson Fairbrother, wanted to thank Chris Austin, Big Flats Highway Supervisor, and the highway crew for the excellent job they are doing.

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

Councilperson Hudock welcomed newly elected Town Supervisor Teresa Dean.

Councilperson Fairbrother made a motion, seconded by Councilperson Hudock to adjourn the Town Board meeting at 5:37 p.m. All in favor, Motion carried.

WATER BOARD

Supervisor Dean called the water Board meeting to order at 5:38 p.m.

RESOLUTION NO. 87-10 WATER DISTRICT FEE SCHEDULE APPROVED

Resolution by: Fairbrother

Seconded by: Smith

RESOLVE the Water Board adopts the following Water District Fee Schedule effective immediately:

<u>ITEM DESCRIPTION</u>	<u>FEE</u>
Minimum Annual Line Charge, per meter, <u>included</u> in minimum water charge	\$40.00
Transfer/Turn On Fee (new owner or lessee)	\$35.00
Disconnect Fee	\$50.00
Water Application Fee- In district only (new service installation, residential and commercial):	
	Residential.....\$75.00
	Commercial.....\$150.00
Hydrant Fee, temporary use	\$50.00
Water Usage Rate for Hydrants:	per 1,000 gallons \$ 5.00
	Minimum charge \$ 5.00
Inspection Fees	As established in Local Law #10 of 2001
Water Main Shut-off, for private repairs	Parts & Labor Minimum charge \$75.00
Shut off at Curb Box for repairs	\$25.00
Shut Off for non-payment	First Offense \$50.00 Each Subsequent Offense, an additional \$50.00
Water Taps (up to & including 1") on Mains	The BF Water Department taps the main. Parts & Labor
Water Taps (over 1") on Mains	\$150.00
(Administrative Fee Only, customer responsible for tap and all associated costs.)	
Meter Installation	Parts & Labor
Meter Removal	\$65.00

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

RESOLUTION NO. 87-10, WATER DISTRICT FEE SCHEDULE APPROVED continued

Meter Repair / Replacement due to damage Parts & Labor

Meter Testing Fee (by customer request) \$50.00

Water Rates Per District

District 1:	Quarterly-	Includes up to 10,000 gallons	\$45.00
		every 1,000 gallons over 10,000 gallons	\$ 3.53
	Monthly-	Includes up to 4,000 gallons	\$17.00
		every 1,000 gallons over 4,000 gallons	\$ 3.53
District 2 and 3:	Quarterly-	Includes up to 10,000 gallons	\$28.75
		every 1,000 gallons over 10,000 gallons	\$ 1.65
	Monthly-	Includes up to 4,000 gallons	\$12.00
		every 1,000 gallons over 4,000 gallons	\$ 1.65
District 4:	Quarterly-	Includes up to 10,000 gallons	\$28.75
		every 1,000 gallons over 10,000 gallons	\$ 2.65

Private Fire Protection, Annual Fees

Sprinkler Systems:	4" Main	\$50.00
	6" Main	\$75.00
	8" Main	\$100.00
	10" Main	\$125.00
	12" Main	\$150.00
Per Yard Hydrant		\$75.00

Administrative Fees:

Returned Check Fee	\$25.00
Per record fee for CCSD billing	\$0.75

Penalties: One time penalty of 10% of outstanding balances

Service Charge: Delinquent Accounts put on Tax Roll \$175.00

Capital Charges: An annual charge to cover annual debt service payments. Shown on the Tax Bill as WD242, WD243 or WD244, depending on Water District.

Criteria used to determine property eligibility for debt responsibility:

- The property must be located within the metes and bounds of the District description.
- The property must have access to a Town water main. Access includes having a water main on either side of the road adjacent to the property.
- Vacant parcels are included.
- Apartment and commercial buildings will be assessed one (1) unit per building. If more than one meter is present in building, assessment will be total number of meters.

CARRIED: AYES: Fairbrother, Smith, Dean, Hudock, Manchester

NAYS: None

MINUTES OF TOWN BOARD ORGANIZATIONAL MEETING OF JANUARY 6, 2010

Councilperson Manchester made a motion, seconded by Supervisor Dean, to adjourn the Water Board meeting at 5:39 p.m. All in favor. Motion carried.

Date approved: _____

Linda Cross
Town Clerk